GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Prakasam District - Sri D.V.Subba Rao, former Tahsildar, Edlapadu (M), Palnadu District - Violation of APCS (Conduct) Rules, 1964 - Departmental proceedings under rule 20 of A.P.C.S. (CC & A) Rules, 1991 r/w Rule 9 of A.P.R.P.Rules, 1980 - Articles of charges - Issued.

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REVENUE (VIGILANCE.III) DEPARTMENT

G.O.Rt.No.391 **Dated:26.05.2022.**

Read:-

G.O.Ms.No.411, Revenue (Vig.III) Department, Dt:26.05.2022.

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ORDER:

In pursuance of the sanction accorded in the reference 2nd read above, it is proposed to hold an enquiry against Sri D.V.Subba Rao, former Tahsildar, Edlapadu (M), Palnadu District in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Articles of charges (Annexure—I). A statement of imputations of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure - III & IV).

3. Sri D.V.Subba Rao, Tahsildar (Retd) is directed to submit, within 10 days of the receipt of this order, a written statement of his defense.

4. Sri D.V.Subba Rao, Tahsildar (Retd) is informed that an enquiry will be held only in respect of those articles of charges as are not admitted. He should therefore, specifically admit or deny each article of charge.

5. Sri D.V.Subba Rao, Tahsildar (Retd) is further informed that if he does not submit his written statement of defense on or before the date specified in Para—3 above, further action will be processed based on the material available.

6. Attention of Sri D.V.Subba Rao, former Tahsildar, Edlapadu (M), Palnadu District is invited to Rule 24 of A.P.C.S (Conduct) Rules 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that Sri D.V.Subba Rao, former Tahsildar, Edlapadu (M), Palnadu District is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To
Sri D.V.Subba Rao, former Tahsildar, Edlapadu (M), Palnadu District through the Collector & District Magistrate, Palnadu District, Narasaraopet.

Copy to:
The Chief Commissioner of Land Administration, A.P., Mangalagiri.
The Collector & District Magistrate, Palnadu District, Narasaraopet.
The Collector & District Magistrate, Guntur.
Sf/Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER

5941674/2022/TAPPAL-REV01

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST SRI DANDUBOINA VENKATA SUBBA RAO, S/o. RAMA RAO, TAHSILDAR. EDLAPADU MANDAL. GUNTUR DISTRICT.

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That Sri Danduboina Venkata Subba Rao Sio Rama Rao, joined Govt Service on 09-08-1996 as Deputy Tahsildar He worked as Superintendent in O/oMRO. Ozili, Nellore District up to 14-08-2002 He worked as Deputy Mandal Revenue Officer. from 15-08-2002 to 31-07-2003 at Kota, Nellore district from 01-08-2003 to 04-02-2004 at Chillakur Nellore district, from 09-02-2004 to 31-07-2004 at Maddipadu. Prakasam district, from 17-08-2004 to 29-08-2005 at Atchempet Mandal, Guntur district. On 29-08-2005 he got promotion as Tahsildar and worked from 29-08-2005 to 25-02-2009 at Karlapalem Mandal, Guntur district, from 27-02-2009 to 06-06-2009 at Guduru, Nellore district, from 10-06-2009 to 22-09-2010 at Mangalagiri Mandal, Guntur district, from 23-09-2010 to 30-06-2011 (the day of trap) at Edlapadu Mandal. Guntur district.

Charge-I :

That the G.S. while working as Tahsildar, Edlapadu Mndal, Guntur district actuated with corrupt motive and in abuse of official position, demanded and accepted bribe of Rs.3,000/- on 30-06-2011 at 9.25 pm as illegal gratification other than legal remuneration from Sri Tadiboina Sriniovasa Rao for doing official favour i.e., to issue a Certificate confirming that the land in Survey No.99/1 to an extent of acres 0.9 cents of Kondaveedu Village, Edlapadu Mandal, Guntur district was classified as Gramakantam land and is not assigned land.

Thus, Sri Danduboina Venkata Subba Rao, Tahsildar, Edlapadu Mandal, Guntur District by his above mentioned acts exhibited lack of integrity, devotion to duty, conduct un-becoming of a Government Servant and thereby contravened Rule 3(1) (2) and 9 (7) of APCS (Conduct) Rules 1964.

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OF MISBEHAVIOUR IN SUPPORT OF THE ARTICLES OF CHARGES FRAMED AGAINST SRI DANDUBOINA VENKATA SUBBA RAO, S/o. RAMA RAO, FORMER TAHSILDAR, EDLAPA DU MANDAL (RETD)

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That Sri Danduboina Venkata Subba Rao, S/o Rama Rao. Tansildar, Edlapadu Mandal, Palnadu district is a native of Akunuru Village, Vuyyuru Mandal, Krishna district. His date of Birth is 10-06-1957. He joined Govt Service on 09-08-1996 as Deputy Tahsildar. He worked as Superintendent in O/oMRO, Ozili, Nellore district up to 14-08-2002. He worked as Deputy Mandal Revenue Officer, from 15-08-2002 to 31-07-2003 at Kota, Nellore district, from 01-08-2003 to 04-02-2004 at Chillakur, Nellore District, from 09-02-2004 to 31-07-2004 at Maddipadu, Prakasam district, from 17-08-2004 to 29-08-2005 at Atchempet mandal, Guntur district On 29-08-2005 he got promotion as Tahsildar and worked from 29-08-2005 to 25-02-2009 at Karlapalem Mandal, Guntur district, from 27-02-2009 to 06-06-2009 at Gudur, Nellore district, from 10-06-2009 to 22-09-2010 at Mangalagiri Mandal, Guntur district, from 23-09-2010 to 30-06-2011 (the day of trap) at Edlapadu Mandal,,Guntur district. While functioning as aforesaid capacity he was placed under suspension vide proceedings in Rc.No.2839/2011 A-4 of Collector & District Magistrate, Guntur with effect from 30-06-2011. He is drawing basic pay of Rs.23,040/-. Scale of pay of Rs 16,150/- to 42,590/-. His date of attaining superannuation is 30-06-2015. He is hereinafter referred as Government Servant (G.S.).

Charge-I :

That the G.S. while working as Tahsildar, Edlapadu Mndal, Guntur district actuated with corrupt motive and in abuse of official position, demanded and accepted bribe of Rs 3,000/- on 30-06-2011 at 9.25 pm as illegal gratification other than legal remuneration from Sri Shaik Mahanoob Subhani for doing official favour i.e., to issue a Certificate confirming that the land in Survey No.99/1 to an extent of acres 0.9 cents of Kondaveedu Village, Edlapadu Mandal ,Guntur district was classified as Gramakantam land and is not assigned land.

FACTS AND EVIDENCE :

Brief facts are that complainant Sri Shaik Subhani is a native of Kondaveedu Village, Edlapadu Mandal, Guntur district. He is eking out his livelihood by doing Arc Welding. He is residing along with his mother and family members in D.No 1-135 at Attarveedhi, Kondaveedu Village, Edlapadu Mandal, Guntur district. He had a vacant site in Survey No 99/1 in an extent of acres 0.9 cents and having two RCC buildings in that site with D.No 1-135. As he is in need of money to meet the medical expenses of his mother, he approached Sri Madhava Reddy of Phirangipuram Village and requested him to arrange loan of Rs 3,00,000/- for which Sri Madhava Reddy asked him to pledge his site and buildings through a mortgage deed On 25-06-2011, when he approached the Sub-Registrar, Phirangipuram, he verified the papers and asked him to get the Certificate from Tahsildar, Edlapadu Mandal, Guntur district that the site is not assigned land not and endowment land. On 25-06-2011 at 4.00 p.m., Sri Shaik Subhani along with his mother met the G.S. who was working as Tahsildar, Edlapadu Mandal, Guntur district and gave representation duly enclosing a Photostat copy of property Document No 2032/2009 to issue the certificate. The G.S.verified the papers and asked him to get the house tax receipts and Encumbrance Certificate in the name of his mother On 26-06-2011 he handed over the said house tax receipt and Encumbrance Certificate to G.S. Then the G.S. demanded him to pay Rs.10,000/- as bribe to give the above Certificate. Sri Subhani pleaded and expressed his inability to pay such huge amount. Then G.S. asked him to wait outside of his chamber for some time and he was not called by the G.S. till evening. At last he met the G.S. at 6 pm and asked him to come on the next day. Accordingly when he met the G.S. on 27-06-2011 in his office, he demanded him to pay at least Rs.5.000/- as bribe to issue Certificate and stated otherwise he will not issue the Certificate. On repeated requests of Sri Subhani the G.S. reduced the bribe amount to Rs.3.000/- Then Sri Subhani requested time for two days to arrange the bribe amount of Rs 3.000/- for which the G.S agreed On 29-

(Contd....Page.2)

06-2011 when Sri Subhani met the G.S. and asked about the Certificate, he informed that he will got ready the certificate and asked for bribe amount. Then he informed to the G.S. that he will take the certificate after paying the bribe amount of Rs 3,000/-. When he asked the G.S. where he has to pay the bribe amount. the G.S. informed him that he can be contacted on the next day over phone keeping by bribe amount ready so that he will inform the place of meeting. As Sri Subhani was not willing to pay bribe to the G.S he gave a report to the DSP, ACB Vijayawada at the office of District Inspector, ACB Guntur to take necessary action against the G.S.

After following due procedure, the DSP, ACB, Guntur registered the report of Sri Sk.Mahaboob Subani as a case in cr.No.14/RCT-ACB-GNT/2011 u/s 7 of P.C.Act, 1988 on 30-06-2011 at 3.30 PM made necessary arrangements for laying trap against the G.S.

During the course of trap on 30-06-2011 at 9.25 pm the Government Servant was trapped in his office, when he further demanded and accepted the bribe amount of Rs.3.000/- from Sri Sk. Mahaboob Subhani and kept the same in his left upper shirt pocket. During post trap proceedings the phenolphthalein test conducted on the both hands fingers of G.S. yielded positive result In pursuance of the information given by the G.S. the tainted bribe amount of Rs 3,000/- was seized from his left upper shirt pocket. The serial numbers of the said currency found tallied with the serial numbers noted in Mediator's Report-I (Pre-trap proceedings) The inner linings of left upper shirt pocket of the G.S. that had come into contact with the tainted bribe amount also yielded positive result to the phenolphthalein test.

The DSP seized tainted amount, resultant solutions and the concerned documents i.e ., (1) Attested copy of certificate in L.Dis. No.247/2011-B, dated 29-06-2011 pertaining to 0.9 cents of Kondaveedu Village Edlapadu Mandal, Guntur district (2) Application of the complainant dated 25-06-2011 along with verification report of VRO, Kondaveedu and Xerox copy of registered Document No 2032/2009 of SRO, Phirangipuram and Xerox copy of tax paid receipt bearing No 590 of Kondaveedu Gram Panchayat and True copy of R.S.R and (3) Attested copy of application pertaining to Sri Popuri Rama Rao S/o. Hanumaiah of Edlapadu Village & Mandal, Guntur district and drafted rough sketch of scene of offence.

The Oral and Documentary evidence collected during the course of investigation established that G.S. demanded and accepted bribe of Rs.3,000/- on 30-06-2011 at 09.25 PM hours from the complainant Sri Shark Mahaboob Subani S/o Peerbude, working as Arc Welder, resident of D.No.1-135 Kondaveedu Village, Edlapadu Mandal, Guntur district to issue a certificate confirming that the land in Survey No 99/1 to an extent of acres 0.9 cents of Kondaveedu Village, Edlapadu Mandal, Guntur district was classified as Gramakantam land, and is not assigned land.

During the course of investigation, the Collector & District Magistrate, Guntur addressed a letter to the Investigation officer vide Rc.No.2839/2011-A4, dated 23-07-2011 and stated that Sri Danduboina Venkata Subba Rao, S/o. Rama Rao, Tahsildar Edlapadu Mandal, Guntur district (G.S.) did not submit his APRs to the competent authority during his entire service.

Thus, Sri Danduboina Venkata Subba Rao, S/o Rama Rao, Tahsildar, Edlapadu Mandal, Guntur district (G.S.) by his above mentioned acts exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rule 3(1) (2) and 9 (7) of APCS (Conduct) Rules 1964. Thus, the G.S. has therefore rendered himself liable for regular departmental action for major penalty.

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH ARTICLES OF CHARGES FRAMED AGAINST SRI DANDUBOINA VENKATA SUBBA RAO S/O RAMA RAO, FORMER TAHSILDAR, EDLAPADU MANDAL (RETD).

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1. Complaint, dt.29-06-2011 given by Sri Shaik Mahaboob Subani S/o Peerbude, Aged 34 years, working as Arc Welder, resident of Kondaveedu Village in D.No.1-135, Edlapadu Mandal, Guntur district.
2. FIR in Cr.No.14/RCT-ACB-VJA/2011 U/s 7, 13(2) r/w 13(1)(d) of P.C. Act, 1988 of ACB, Vijayawada Range.
3. Mediators' Report-I drafted in the office of the District Inspector, Guntur, ACB, Vijayawada Range, Vijayawada on 29-06-2011, between 4.30 p.m. and 7.00 pm.
4. Mediators' Report-II drafted in the Office of Tahsildar, Edlapadu Mandal, Guntur District between 09.45 pm on 30.06.2011 and 2.15 am on 01-07-2011.
5. Attested copy of Certificate in L.Dis.No. 247/2011-B, dated 29-06-2011 pertaining to 0.9 cents of Kondaveedu Village, Edlpadu Mandal, Guntur District.
6. Application of the complainant dated 25-06-2011 along with verification report of VRO, Kondaveedu and etc.,
7. Attested copy of application pertaining to Sri Popuri Rama Rao S/o Hanumaiah of Edlpadu Village & Mandal, Guntur District.
8. Job Chart, Service particulars, Annual Property Returns of the A.O and Citizen Chart are obtained from the Collector and District Magistrate, Guntur, Guntur district Vide Lr. in Rc.No. 2839/2011-A4, dated 23.07.2011.
9. If any documents found necessary they will be produced at the time of enquiry.

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

SECTION OFFICER

5941674/2022/TAPPAL-REV01

ANNEXURE-IV

LIST OF WITNESSES BY WHICH ARTICLES OF CHARGES FRAMED AGAINST SRI DANDUBOINA VENKATA SUBBA RAO S/O RAMA RAO, FORMER TAHSILDAR, EDLAPADU MANDAL (RETD)

*****

1. Sri Shaik Mahaboob Subani S/o Peerbude, Age 34 years, resident of D.No.1-135, Kondaveedu Village, Edlapadu Mandal, Guntur district.
2. Sri Kattamuri Chandra Sekhar Rao, S/o Venkateswarlu, aged 44 years, Tahsildar, Chilakaluripet, Guntur District.
3. Smt. Shaik Jaitumbi W/o Peerbude, D.No.1-135, Kondaveedu Village, Edlapadu Mandal, Guntur District.
4. Sri Todimala Venkat Rao S/o Innaiah, aged 43 years, working as V.R.O., Unnava Village, Edlapadu Mandal, Guntur District.
5. Sri Nalluri Venkateswarlu S/o Sheshagiri, 57 years, Village Revenue Officer, Kondaveedu Village, Edlapadu Mandal, Guntur District.
6. Sri Gera Suredranath, Surveyor, Edlapadu Mandal O/oTahsildar, Edlapadu Mandal, Guntur District.
7. Smt Kalli Rajya Lakshmi, Junior Assistant, O/oTahsildar, Edlapadu Mandal, Guntur District.
8. Sri P. Arun Babu, Revenue Divisional Officer, Narasaraopet, Guntur district.
9. Sri Gavini Madhusudhana Prasad S/o Venkataratnam, Aged 55 years, Sub-Registrar, Phirangipuram, Guntur district.
10. Sri Badduri Madhava Reddy S/o Tirupati Reddy, Phirangipruam Village & Mandal, Guntur District.
11. Sri Kota Venkata Sambasiva Rao S/o Venkateswarlu, aged 50 years, Phirangipuram Village & Mandal, Guntur District.
12. Sri Kosuru Narasimhulu S/o Subbaiah, aged 50 years, Deputy Commercial Tax Officer, Gandhi Chowk, Tenali R/o Flat No. 203, Poornima Residency, Amaravathi Road, Guntur, Guntur district.(Mediator)
13. Sri Boppey Mallaiah S/o Veerabhadra Rao, aged 51 years, Senior Assistant, O/o C.T.O., Gandhi Chowk, Tenali. R/o D.No. 1-46-16, Vankamamidi Vari Street, Nazarpet, Tenali Town, Guntur District (Mediator)
14. Sri A. Venkat Rao, Deputy Supdt. of Police, Anti-Corruption Bureau, Vijayawada Range, Vijayawada.
15. Sri P.Mallikarjuna Rao, Inspector of Police, Range -II, Anti-Corruption Bureau, Vijayawada Range, Vijayawada.
16. Sri T. Venkateswarlu, Inspector of Police, Range-II, ACB, Guntur
17. The Collector & District Magistrate, Guntur, Guntur District
18. If any witnesses found necessary they will be produced at the time of enquiry.

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

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SECTION OFFICER